



#13/Reconsideration-2

1/18/03

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventors: Toyoki UE et al.

Prior Art Unit 2684

Serial No.: 10/057,897

Prior Examiner A. Gantt

Filed: January 29, 2002

For: RADIO COMMUNICATION DEVICE AND METHOD OF
CONTROLLING TRANSMISSION RATE

RECEIVED

RESPONSE UNDER 37 CFR 1.116

JAN 13 2003

Assistant Commissioner for Patents
Washington, DC 20231

Technology Center 2600

Sir:

In response to the Final Rejection of September 12, 2002, the Applicants respectfully petition for a one month extension of time and request reconsideration and allowance of this application in light of the following remarks.

An Information Disclosure Statement was filed on January 29, 2002, but no initialed copy of the PTO-1449 was provided with the outstanding office action. A courtesy copy of the PTO-1449 was provided on June 19, 2002. The Examiner is kindly requested to provide an initialed copy of the PTO-1449 to the undersigned by facsimile.

Claims 31-35 stand rejected under 35 USC 102(b) as anticipated by Mahany et al. The Applicants respectfully traverse.